BILL NO. Z-76-11-24

ZONING MAP ORDINANCE NO. Z-Tract

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designed a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. E-2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The North 32 feet of the West 131 feet of Lot No. 19 in Lillies Outlot Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Councilman

APPROVED AS TO FORM AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day~~ of _____, 1976, at _____ o'clock ~~P.M.,E.S.T.~~.

DATE: 11-23-76 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	0	8		1	
BURNS		✓			
HINGA		✓			
HUNTER		✓			
MOSES		✓			
NUCKOLS		✓			
SCHMIDT, D.				✓	
SCHMDT, V.		✓			
STIER		✓			
TALARICO		✓			

DATE: 2-22-77 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE (~~RESOLUTION~~) No. _____ on the _____ day of _____, 1976.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the ~~City~~ of Fort Wayne, Indiana, on the _____ day of _____, 1976, at the hour of _____ o'clock ____M.,E.S.T.

_____
CITY CLERK

Approved and signed by me this _____ day of _____, 1976, at the hour of _____ o'clock _____M.,E.S.T.

_____
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 23, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-11-24; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan, and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1977.

Certified and signed this
7th day of February, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary

Bill No. Z-76-11-24

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. E-2

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do Not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN — Vivian G. Schmidt

WINFIELD C. MOSES, JR. - VICE CHAIRMAN — Winfield C. Moses JR

WILLIAM T. HINGA — William T. Hinga

DONALD SCHMIDT

SAMUEL J. TALARICO — Samuel J. Talarico

MADE A MATTER OF RECORD
DATE 2-22-77 CHARLES W. WESTERMAN, CITY CLERK

© BUSINESS FORM—PRODUCT OF WILSON JONES
GrayLine

RECEIPT

Date Oct 28 19 76 No. 6871.

Received From Willie Brooks

Address 1405 Winter

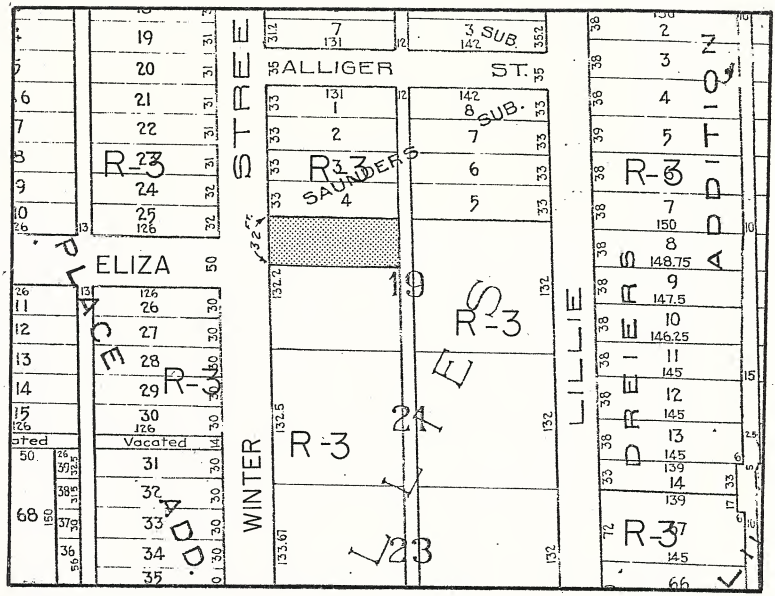
Fifty dollars Dollars $ 50.00

For Rezoning - 1401 Winter

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	—	CASH	50	—
AMT. PAID	50		CHECK		
BALANCE DUE			MONEY ORDER		

By pw

COMMUNITY DEVELOPMENT AND PLANNING
DIVISION OF LONG RANGE PLANNING
AND ZONING
CITY-COUNTY BUILDING
ONE MAIN STREET
FORT WAYNE, INDIANA 46802



To be changed from R-3 to B-1-B

10-28-76
E-2
L.S.

3-76-11-24

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use RESTAURANT (UNCHANGED)

I/We L.H.D. REALTY CORP.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-3 district to a/an B-1-B district the property described as follows:

(1401 WINTER ST.) NORTH 32' OF WEST 131' OF LOT #19 LILLIES OUTLOT ADDITION OF TOWNSHIP 30, RANGE, 12

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
L.H.D. REALTY CORP.	1800 N. MERIDIAN RM. 602 INDIANAPOLIS, IN. 46202	(x) Lionel H. Houston, Pres.

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
WILLIE BROOKS	1405 WINTER FT. WAYNE, IND.	422-9977 743-8856

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

PETITION

Fort Wayne, Ind., Epsie Brooks

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate on 1405 Winter St. Epsie Brooks, from _____ to _____ respectfully petition for the passage of a resolution providing for the building of a storage room (20' x 30') to be attached to Brooks Barbeque Located at 1403 Winter St.

Eld Henry Jones	1327 Winter St.	Church.
Walter Paige	1407 Winter St	
Edward Huhn	1410 Winter St	
Ida Wilson	1414 Winter St	
[illegible]	1427 W [illegible]	
[illegible]	1432 Winter St	
Cleveland Thomas	1422 Winter Street	
[illegible] McGann	1427 WINTER ST	
Lewis Whittle	1438 Winter St	
Essie L. Harris	1439 Winter St	
Willie Henderson	1509 Winter St	
[illegible]	1440 Lillie St	
Lloyd E. Coleman	1402½ Winter St	Ft. Wayne
Mrs James L Gray	1437 Lillie St.	Ft Wayne
Mrs Della Ewin	1425 Lillie St.	Ft Wayne
Goldie M. Smith	1435 Lillie St.	
Elizabeth Knight	1421 Lillie St.	Ft Wayne
Juanita Jackson	1420 Lillie St	Ft Wayne
Michael Fuller	1414 Lillie St	
Zenobia McClendon	1406 Lillie St	
Conli Bean	1325 Lillie	
Ruth B Payton	1323 Lillie	
Lillie St	1313 Johnson Terrill	
William C. Turner Sr.	1314 Lillie & 1320 Lillie	
Patricia Craig	1324 Lillie	
Mrs Carrie E Davis	1324 Winter St	
Mrs Bonnie Andrews	1215 McCulloch	
Lola Daniels	1216 McCulloch	
Olden M. Kay Sr	1431 Hugh St	
Dorothy Simmons	1422 Hugh St.	

PETITION

Fort Wayne, Ind., Oct 25 1976

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate on 1405 Winter St- Epsie Brooks, from ______ to ______

respectfully petition for the passage of a resolution providing for the building of a storage room (20' x 20') to be attached to Brooks Barbeque located at 1403 Winter St.

Estella Mitchell 1308 McCulloch St.
Joseph H Lattimore 1316 McCulloch st
Rufus Willie Pearson 1431 Harford St
Ozie B. Oates
Cina Jackson 1415 McCulloch
Flowie Day 1339 McCulloch
[illegible] 1323 McCulloch
Lizzie Baker 1303 McCulloch St
Mary Holly 2525 Warsaw
Mary Jones 1425 Hugh St
Etta Green " " " "
Villa Hardy " " " "
Mrs Eugenia Smith 1429 Hugh St.
Charles E. Hardy 1421 Hugh St.
Mrs. Mynrtle Davis - 1413 - Hugh
Marie D. Tyler 1407 Hugh St
Beverly A. Harding " " Hugh St
Felnin Tyler " " Hugh St
Valerie B. Tyler " " Hugh St
Lina M. Harvey
Delores Clark 1339 Hugh St
Leon Clark 1339 Hugh St.
Dorothy Pearson
Cyril L. Pearson
Veeda Dixon 1325 Hugh St
William West 1321 Hugh St.
Mittie A. Turner 1317 Hugh St
Howard E. Burnette
Lucy Curry 1357 Hughes
Tyrone Fontenette 1316 Hugh St.

PETITION

Fort Wayne, Ind., Oct 25 1976

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate on 1405 Winter St Ersie Brooks, from _____ to _____

respectfully petition for the passage of a resolution providing for the building of a storage Room (20'x20') to be Attached to Brooks BARBeque Located At 1403 Winter St.

Mrs Carl Lattimore 1416 Hugh St.
Mrs. Odell Smith 1326 Winter
Fulton Curtis 1402 Winter St
Ersie Brooks
AC Edwards 1415 Winter St

Number assigned by Bill Salin's office: # 3409 Admn. Appr.

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-76-11-24

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property:

The north 32 feet of the west 131 feet of Lot # 19 Lillie's Outlot Addition, commonly known as 1401 Winter Street, generally located on the east side of Winter Street, approximately 132 feet south of Alliger Street.

From "R3" to "B1B"

EFFECT OF PASSAGE Property is presently zoned an "R3" District. Petitioners are requesting a "B1B" District - Limited Business.

EFFECT OF NON-PASSAGE Property would remain an "R3" District - Mulitple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)